

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

1981 APR 10 PM 3 38

MIDWAY MFG. CO., a corporation,)
Plaintiff,)

80 C 5863

Judge Decker

vs.

ARTIC INTERNATIONAL, INC.,)
a corporation,)
Defendant.)

CLERK
U.S. DISTRICT COURT

NOTICE TO TAKE DEPOSITIONS

To: Richard G. Kinney, Esq.
Kinney and Niblack
55 East Jackson Blvd.
Suite 1645
Chicago, Illinois 60604

APR 12 1981

Please take notice that pursuant to Rule 30(b)(6), F.R.C.P., plaintiff shall continue the deposition of defendant Artic International, Inc. at 10:00 a.m. on May 12, 1981 at the Somerset Marriott Hotel, 110 Davidson Avenue, Somerset, New Jersey 08873. Identification of the specific room of the hotel will be available from the hotel management and shall also appear on the reader board in the main lobby under the identification "meeting of Fitch, Even." The deposition of defendant shall be conducted on the following matters:

(1) The sale, offering for sale, advertising and promotion of the memory boards referred to as "MEMORY BOARDS TO DOUBLE YOUR GALAXIAN INCOME" in an advertisement attached as Exhibit 1 hereto;

(2) The sale, offering for sale, advertising and promotion of printed circuit boards and

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integrated circuit chips referred to as "P.C. Boards and I.C. Chips for Hot Video Game Machines" in an advertisement attached as Exhibit 2 hereto;

(3) The source or origin of the goods identified in paragraphs (1) and (2), above;

(4) The market and potential market for the goods identified in paragraphs (1) and (2), above;

(5) The creation of the goods identified in paragraphs (1) and (2) above;

(6) The purchase of goods identified in paragraphs (1) and (2) above;

(7) The operation, play and/or function of video game machines which incorporate the goods identified in paragraphs (1) and (2) above;

(8) The identity of customers who have purchased goods identified in paragraphs (1) and (2) above;

(9) Communications of any kind relating to electronic video games or parts of electronic video games, including but not limited to memory boards, printed circuit boards or integrated circuit chips with any Japanese or Taiwanese firm and/or any of the following firms, persons or corporations:

Artic Electronics Co. Ltd
151 Chung Hwa 3rd Rd.
Kaohsiung, Taiwan, R.O.C.

Tafa International Corp.
P.O. Box 781
Taipei, Taiwan

Hobby Industries Co. Ltd.
101 Daiku Fuji Building
3-33-5, Kita-Ohtsuka, Toshima-ku
Tokyo, Japan

Universal Co. Ltd.
1-12-3 Nihonbashi
Horidome-Cho, Chuoh-ku
Tokyo 103, Japan

Universal U.S.A. Inc.
d.b.a. Universal Co. Ltd.
Sunset-Vine Tower
Suite 1500
6290 Sunset Blvd.
Hollywood, CA 90028

En'sco Co., Ltd.
P.O. Box 81-110
Taipei
38, Lane 155
Tun Hua North Road
Taipei, Taiwan

Fuso Corporation
Hibiya Kashi Building
28-15 Hatchobori 3 Chome Chuo-Ku
Tokyo, Japan

Miyabi Inc. d.b.a. Compu-Game, Inc.
3315 Laurel Canyon Boulevard
Studio City, California 91604

Kyugo Company Ltd.
2-16-14 Higashiyama
Maguro-Ku, Tokyo, Japan

Nichibutsu
Nihon Bussan Co. Ltd.
12-9, 1-chome
Tenjinbashi, Kita-ku
Osaka, Japan

I.J.S. Inc.
Nichibutsu
Distributor & Importer
Suite 212
16910 Dallas Parkway
Dallas, Texas 75248

Bonanza Enterprises, Ltd.
Bonanza Bldg., 7-18, 3-Chome
Shin-Yamashita-cho, Naka-ku
Yokohama, Japan

Taito of Japan
2-5-3-Hirakawa-cho,
Chiyoda-ku
Tokyo, Japan

Taito America Corporation
1256 Estes Avenue
Elk Grove Village, IL 60007

Hoei Sangyo
12-1, Minami-cho, 1-Chome
Tanashi, Tokyo, Japan

Chiu Fung Plastics Corp.
Taiwan

Chens International, Inc.
39-R Thompson Street
Winchester, MA 01890

Morrison Enterprises Corp.
143 Kung Kuan Road
Taichung, Taiwan 400,
Republic of China

Friend Spring Industrial Co., Ltd.
No. 323, Son San Road
Taipei, Taiwan
Republic of China

(10) The number of printed circuit boards which could be used for making GALAXIAN or PAC-MAN video games which defendant has sold and the gross revenues from such sales; and,

(11) The number of memory boards which could be used to speed up a GALAXIAN video game which defendant has sold and the gross revenues from such sales.

Please take further notice that plaintiff will continue the deposition of Sming Huang, President, Artic International, Inc., 550 Route 22, Bridgewater, New Jersey 08807.

Please take further notice that plaintiff will take the depositions of the following employees of defendant:

Susanna Lorber,

Assistant to President
Artic International, Inc.
550 Route 22
Bridgewater, New Jersey 08807

Samuel Lin,

Manager of Game Department,
Artic International, Inc.
550 Route 22
Bridgewater, New Jersey 08807

Betty Huang,

Secretary and Manager of IC Dept.
Artic International, Inc.
550 Route 22
Bridgewater, New Jersey 08807

Harris Tang,

Assistant, Game Department
Artic International, Inc.
550 Route 22
Bridgewater, New Jersey 08807

Nan Tehan,

Employee
Artic International, Inc.
550 Route 22
Bridgewater, New Jersey 08807

The depositions will continue from day to day until completed, unless adjourned by counsel for plaintiff, and shall be taken before a notary public or other officer authorized by law to administer oaths. The depositions shall commence with the continuation of the deposition of the corporate defendant under Rule 30(b)(6) and the continuation of the deposition of Sming Huang, and shall proceed in the order of the other individuals listed above. Each of the above named witnesses subsequent to the first shall be available on one hour's notice to commence with their depositions.

Pursuant to Rules 30(b)(5) and 34, F.R.Civ.P., the witnesses and defendant Artic International, Inc. are requested to bring with them to the deposition the documents identified in the attached REQUEST FOR DOCUMENTS attached as "Exhibit A."

You are invited to attend and cross-examine. }

MIDWAY MFG. CO.

Eric C. Cohen

Donald L. Welsh
A. Sidney Katz
Eric C. Cohen
Fitch, Even, Tabin, Flannery & Welsh
135 S. LaSalle Street
Chicago, Illinois 60603

Attorney for Plaintiff

April 10, 1981